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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
SAINT VINCENTS CATHOLIC MEDICAL	:	Case No. 10-11963 (CGM)
CENTERS OF NEW YORK, <u>et al.</u> ,	:	
	:	
Debtors.	:	Jointly Administered
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**HEARING AGENDA FOR JULY 21, 2011**

Location of Hearing: Courtroom of the Honorable Cecelia G. Morris, Courtroom 623  
United States Bankruptcy Court for the Southern District of New  
York, Alexander Hamilton Custom House, One Bowling Green, New  
York, NY 10004

Copies of Motions: A copy of each of the Motions may be viewed on the Court's website  
at [www.ecf.nysb.uscourts.gov](http://www.ecf.nysb.uscourts.gov) or (without charge) at the Debtors'  
Information Website: at <http://svcmcrestructuring.com>.

**I. STATUS CONFERENCE**

1. **Westchester Sale Motion** - Debtors' Motion for (I) an Order (A) Approving the Sale of Substantially all the Debtors' Behavioral Health Assets Including the Operations of St. Vincent's Hospital Westchester to Saint Joseph's Medical Center, and (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases; (II) an Order (A) Approving Bidding Procedures for the Auction of a Real Estate Option, and (B) Scheduling an Auction and Real Estate Option Sale Hearing; and (III) an Order Approving the Sale of the Real Estate Option [Docket No. 799]

- Related Documents:
  - a) Order (A) Approving The Sale Of Substantially All The Assets Of Saint Vincents Catholic Medical Centers Of New York Related To The Operation Of Its Behavioral Health Services Business To Saint Joseph's Medical Center; And (B) Approving The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases [Docket No. 1011]
  - b) Statement of Cure Amounts Due Under 1199SEIU Collective Bargaining Agreements Related to the Sale of Substantially All the Assets of Saint Vincents Catholic Medical Centers of New York Related to the Operation of Its Behavioral Health Services Business to Saint Joseph's Medical Center [Docket No. 1044]
- Cure Objection Deadline: September 14, 2010 at 4:00 p.m.
- Cure Objections:
  - c) Preliminary Objection of Saint Joseph's Medical Center to Cure Claim of 1199 SEIU United Health Care Workers East [Docket No. 1055]
  - d) Letter Regarding Status Conference on Objection to Cure Claim of 1199SEIU United Health Care Workers [Docket No. 1818]

**Status:** A status conference on the cure issue will be going forward.

## **II. ADJOURNED MATTERS – MOTIONS LIFTING THE AUTOMATIC STAY**

1. **McCord Lift Stay Motion** – Motion to be Relieved from the Automatic Stay [Docket No. 209]
  - Related Documents: None
  - Objection Deadline: None
  - Objections: None

**Status:** The hearing on this matter has been adjourned August 4, 2011. Please note the time and location is subject to change.

2. **White Lift Stay Motion** - Motion for Entry of an Order Modifying the Automatic Stay to Permit Continuation of State Court Medical Malpractice Action [Docket No. 211]

- Related Documents: None
- Objection Deadline: None
- Objections: None

**Status**: The hearing on this matter has been adjourned August 4, 2011. Please note the time and location is subject to change.

3. **Warner Lift Stay Motion** - Motion for Entry of an Order Modifying the Automatic Stay to Permit Continuation of State Court Medical Malpractice Action [Docket No. 212]

- Related Documents: None
- Objection Deadline: None
- Objections: None

**Status**: The hearing on this matter has been adjourned August 4, 2011. Please note the time and location is subject to change.

4. **Hickman Lift Stay Motion** - Motion for Entry of an Order Modifying the Automatic Stay to Permit Continuation of State Court Medical Malpractice Action [Docket No. 214]

- Related Documents: None
- Objection Deadline: None
- Objections: None

**Status**: The hearing on this matter has been adjourned August 4, 2011. Please note the time and location is subject to change.

5. **Penafiel Lift Stay Motion** - Motion of Jeffrey Penafiel a/k/a Jeffrey Encalada, an Infant and Merie Penafiel a/k/a Merie Encalada, Individually Seeking Relief From the Automatic Stay Pursuant to Bankruptcy Code Section 362(d) [Docket No. 1593]

- Related Documents: None
- Objection Deadline: None

- Objections: None

**Status**: The hearing on this matter has been adjourned August 4, 2011. Please note the time and location is subject to change.

### **III. UNCONTESTED MATTERS – OMNIBUS CLAIMS OBJECTIONS**

1. **Fourth Omnibus Objection** - Fourth Omnibus Objection of the Debtors and Debtors in Possession to Certain Claims (Tier I – Claims Improperly Classified as Administrative Priority Claims Under Section 503(b)(9) of the Bankruptcy Code) [Docket No. 1705]

- Related Documents: None.
- Objection Deadline: July 5, 2011 by 4:00 p.m.
- Objections: None.

**Status**: Med World/Shore's response deadline regarding Claim Nos. 3245, 3246, 3247, 3248, and 3249 have been adjourned to August 4, 2011. Please note the time and location of the hearing will be determined at a later date. The hearing on the remaining claims is going forward.

2. **Fifth Omnibus Objection** - Fifth Omnibus Objection of the Debtors and Debtors in Possession to Certain Claims (Tier I – Claims That Have Been Released) [Docket No. 1706]

- Related Documents: None.
- Objection Deadline: July 5, 2011 by 4:00 p.m.
- Objections: None.

**Status**: The hearing on Claim No. 2559 for Soo Maing has been adjourned to August 4, 2011. Please note the time and location of the hearing will be determined at a later date. The hearing on the remaining claims is going forward.

3. **Sixth Omnibus Objection** - Sixth Omnibus Objection of the Debtors and Debtors in Possession to Certain Claims (Tier I Claims Lacking Sufficient Documentation) [Docket No. 1737]

- Related Documents: None.
- Objection Deadline: July 11, 2011 by 4:00 p.m.

- Objections: None.

**Status: The hearing on this matter is going forward.**

#### **IV. CONTESTED MATTER**

1. **Record Retention Motion** - Debtors Motion for an Order (I) Authorizing the Debtors Entry into an Information Management Services and Trust Agreement With MetalQuest-SVCMC Trust, LLC d/b/a MetalQuest, (II) Approving the Document Retention and Destruction Plan Set Forth Therein; (III) Directing the Additional Storage Vendors to Cooperate in Transfer of Records; and (IV) Granting Related Relief Pursuant to 11 U.S.C. §§ 363 and 554 and Rule 6007 of the Federal Rules of Bankruptcy Procedure [Docket No. 1782]

- Related Documents: None.
- Objection Deadline: July 14, 2011 by 4:00 p.m.
- Adjourned Objection Deadline: Iron Mountain's deadline has been extended to July 15, 2011 by 4:00 p.m. The Patient Care Ombudsman's deadline has been extended to July 18, 2011 by 4:00 p.m. Cityside Archives, Ltd. and The Robert Lewis Group LLC's deadline have been extended to July 19, 2011 by 4:00 p.m.
- Objections:
  - a) Iron Mountain Information Management, Inc.'s Limited Objection to the Debtors' Motion for an Order (I) Authorizing the Debtors' Entry into an Information Management Services and Trust Agreement with Metalquest-SVCMC Trust, LLC d/b/a Metalquest, (II) Approving the Document Retention and Destruction Plan Set Forth Therein; (III) Directing the Additional Storage Vendors to Cooperate in Transfer of Records; and (IV) Granting Related Relief Pursuant to 11 U.S.C. §§ 363 and 554 and Rule 6007 of the Federal Rules of Bankruptcy Procedure [Docket No. 1810]
- Reply:
  - b) Debtors' Reply in Further Support of the Debtors' Motion for an Order (I) Authorizing the Debtors' Entry Into an Information Management Services and Trust Agreement With Metalquest-SVCMC Trust, LLC d/b/a Metalquest, (II) Approving the Document Retention and Destruction Plan Set Forth Therein; (III)

Directing the Additional Storage Vendors to Cooperate in Transfer of Records; and (IV) Granting Related Relief Pursuant to 11 U.S.C. §§ 363 and 554 and Rule 6007 of the Federal Rules of Bankruptcy Procedure [Docket No. 1816]

**Status: The hearing on this matter is going forward.**

**V. FOURTH INTERIM FEE APPLICATIONS**

1. **Kramer Levin Fourth Fee App** - Fourth Interim Application of Kramer Levin Naftalis & Frankel LLP, Counsel for the Debtors and Debtors in Possession, for Allowance of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred for the Period from January 1, 2011 through March 31, 2011 [Docket No. 1654]

- Related Documents:

- a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]

- Objection Deadline: July 6, 2011 by 4:00 p.m.

- Objections:

- b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

2. **Garfunkel Wild Fourth Fee App** - Fourth Interim Application of Garfunkel Wild, PC, as Special Healthcare, Regulatory, Corporate, Real Estate, Litigation and Finance Counsel for the Debtor and Debtor in Possession [Docket No. 1630]

- Related Documents:

- a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]

- Objection Deadline: July 6, 2011 by 4:00 p.m.
- Objections:
  - b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

**3. KPMG LLP Fourth Fee App** - Fourth Fee Application of KPMG LLP, as Auditors to the Debtors, for Interim Allowance and Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1658]

- Related Documents:
  - a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]
- Objection Deadline: July 6, 2011 by 4:00 p.m.
- Objections:
  - b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

**4. Togut Segal Fourth Fee App** - Fourth Interim Application of Togut, Segal & Segal LLP, as Conflicts Counsel for the Debtors, for Allowance of Compensation for Services Rendered and for Reimbursement of Expenses for the Period January 1, 2011 through March 31, 2011 [Docket Nos. 1650 & 1651]

- Related Documents:
  - a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]

- Objection Deadline: July 6, 2011 by 4:00 p.m.
- Objections:
  - b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

**5. Loeb & Troper Fourth Fee App** - Fourth Application of Loeb & Troper LLP, as Healthcare Transaction Advisor to the Debtors, for Interim Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1656]

- Related Documents:
  - a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]
  - b) Declaration of David Pearlman in Further Support of Loeb & Troper's Fourth Interim Fee Application [Docket No. 1750]

• Objection Deadline: July 6, 2011 by 4:00 p.m.

- Objections:
  - b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

**6. Cain Brothers Fourth Fee App** - Fourth Application of Cain Brothers & Co., LLC, Investment Banker for the Debtors, for Interim Allowance of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from January 1, 2011 Through March 31, 2011 [Docket No. 1659]

- Related Documents:



- a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]

- Objection Deadline: July 6, 2011 by 4:00 p.m.
- Objections:

- b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

- 7. **Putney Twombly Fourth Fee App** - Fourth Application of Putney, Twombly, Hall, & Hirson LLP, as Labor and Employee Benefits Counsel for the Debtors for Allowance of Interim Compensation for Services Rendered for the Period January 1, 2011 Through March 31, 2011 and for Reimbursement of Expenses [Docket No. 1660]

- Related Documents:
  - a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]
- Objection Deadline: July 6, 2011 by 4:00 p.m.
- Objections:
  - b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

- 8. **CB Richard Ellis Fourth Fee App** - Application of CB Richard Ellis, Inc. ("CBRE"), as Real Estate Advisor for the Debtor and Debtor in Possession, for Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period From January 1, 2011 Through March 31, 2011 [Docket No. 1657]

- Related Documents:

- a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]

- Objection Deadline: July 6, 2011 by 4:00 p.m.

- Objections:

- b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

9. **Neubert Pepe Fourth Fee App** - Fourth Application of Neubert, Pepe & Monteith, P.C., as Counsel to the Patient Care Ombudsman for Entry of Order Allowing Interim Compensation and Reimbursement of Expenses [Docket No.1652]

- Related Documents:

- a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]

- Objection Deadline: July 6, 2011 by 4:00 p.m.

- Objections:

- b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

10. **Daniel T. McMurray Fourth Fee App** - Fourth Interim Application of the Patient Care Ombudsman ("Daniel T. McMurray") for an Allowance of Compensation and Reimbursement of Expenses for the Period January 1, 2011 through March 31, 2011 [Docket No. 1653]

- Related Documents:

- a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of

Expenses Incurred From January 1, 2011 Through  
March 31, 2011 [Docket No. 1679]

- Objection Deadline: July 6, 2011 by 4:00 p.m.
- Objections:
  - b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

11. **Akin Gump Fourth Fee App** - Fourth Application of Akin Gump Strauss Hauer & Feld LLP, as Counsel for the Official Committee of Unsecured Creditors of Saint Vincents Catholic Medical Centers of New York et al., for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period January 1, 2011 Through March 31, 2011 [Docket No.1665]

- Related Documents:
  - a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]
- Objection Deadline: July 6, 2011 by 4:00 p.m.
- Objections:
  - b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status: The hearing on this matter is going forward.**

12. **CBIZ Fourth Fee App** - Application of CBIZ Accounting, Tax & Advisory of New York, LLC and CBIZ, Inc. ("CBIZ"), Financial Advisor for the Official Committee of Unsecured Creditors of Saint Vincents Catholic Medical Centers of New York, et al., for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period From January 1, 2011 Through March 31, 2011 [Docket No. 1666]

- Related Documents:

- a) Notice of Hearing to Consider Fourth Applications for Interim Compensation and Reimbursement of Expenses Incurred From January 1, 2011 Through March 31, 2011 [Docket No. 1679]

- Objection Deadline: July 6, 2011 by 4:00 p.m.

- Objections:

- b) United States Trustee's Response With Respect To Interim Fee Applications For Allowance Of Compensation And Reimbursement Of Expenses [Docket No. 1780]

**Status:** The hearing on this matter is going forward.

**Pursuant to the Order Establishing Case Management Procedures, any party that wants to monitor the hearing telephonically, is required to notify the undersigned counsel for the Debtors in writing regarding such request at least three (3) business days prior to the applicable hearing date.**

Dated: New York, New York  
July 19, 2011

KRAMER LEVIN NAFTALIS & FRANKEL LLP

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